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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/634,054 | 08/04/2003 | Satoru Shoshi | 03463/HG | 5523 |

1933 7590 10/05/2005

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
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NEW YORK, NY 10001-7708

EXAMINER

AHMED, SHEEBA

ART UNIT PAPER NUMBER

1773

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/634,054 | Applicant(s) SHOSHI ET AL. | |
| | Examiner Sheeba Ahmed | Art Unit 1773 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,7 and 9-24 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1,3,5,7,9 and 10 is/are rejected.
 7) ☒ Claim(s) 11-24 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicants response dated July 11, 2005 has been received and entered in the above-identified application. **Claims 1, 3, 5, 7, and 9-24 are pending.**

The indicated allowability of claims 3, 5, 7, 9, and 10 is withdrawn in view of the newly discovered reference(s) to Nakauchi et al. (US 6,228,499 B1). A rejection based on the newly cited reference(s) follows.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5, 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakauchi et al. (US 6,228,499 B1).

Nakauchi et al. disclose a resin molded article having a scuff resistant organic hard coat layer and an antifogging organic hard coat layer (Column 1, lines 9-12). Resins that can be used as the substrate of the resin-molded article include acrylic resins, polycarbonate, polystyrene, and polyolefin resins. The thickness of the substrate is not particularly limited and is preferably 0.5 to 5mm (Column 2, lines 46-54). The covering material for forming the antifogging organic hard coat layer includes 100 parts by weight of a crosslink polymerizable mixture comprising polyethylene glycol

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dimethacrylate and 0.1 to 15 parts by weight of a surfactant comprising at least a nonionic or anionic surfactant (Column 3, lines 29-32). The preferred nonionic surfactant has an HLB value of 6-11 and specific examples are given at the bottom of Column 4 and the top of Column 5 and include esters of fatty acids. Furthermore, 0.5 to 50 parts by weight of fine metal oxide particles may also be used in the antifogging hard coat layer (Column 5, lines 60-63). Examples of the fine metal oxides include silicon oxide, titanium oxide, and alumina and the particles size may range from 1nm to 1 micron (Column 7, lines 20-26). Examples 1-7 show that the thickness of the antifogging hard coat layer may be 12 microns (Column 18, lines 14-16).

Nakauchi et al. do not disclose or teach that the substrate may have a thickness of 20 to 300 microns.

However, Nakauchi et al. do state that the thickness of the substrate is not particularly limited and it would have been obvious to one having ordinary skill in the art to optimize the thickness of the substrate given that the substrate can be made more flexible by making it thinner.

Response to Arguments

3. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

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Allowable Subject Matter

4. Claims 11-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

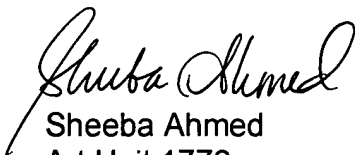
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheeba Ahmed whose telephone number is (571)272-1504. The examiner can normally be reached on Mondays and Thursdays from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571)272-1284. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.



Sheeba Ahmed
Art Unit 1773
September 29, 2005